
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of

Anthony J Caronia
Owner of Vessel # NY0349JZ
Smithtown, New York

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File No. EB-11-NY-0234

NOV No. V201132380021

NOTICE OF VIOLATION

August 31, 2011

By the District Director, New York Office, Northeast Region, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to section 1.89 of the Commission's Rules,¹ to Anthony J Caronia, owner of the vessel # NY0349JZ, in Smithtown, New York.

2. On August 17, 2011, the Commission's New York office received a complaint from the U.S. Coast Guard, Sector Long Island Sound, New Haven, CT, regarding a continuous signal on VHF Marine Channel 16, the international and distress calling frequency. In response to the complaint, agents of the Commission's New York Office conducted an investigation and determined that the unauthorized transmissions on Channel 16 were coming from the vessel # NY0349JZ, located at Davis Park Marina, west side, between 3rd and 4th walk, Fire Island, New York, and observed the following violation:

47 C.F.R. § 80.89(a): "Stations must not engage in superfluous radio communications." At the time of the investigation, agents determined that a continuous carrier was inadvertently being transmitted on VHF Channel 16 from a malfunctioning marine radio station located on Mr. Caronia's vessel.

3. Pursuant to section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Anthony J Caronia must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by Anthony J Caronia. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 308(b).

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New York Office
201 Varick Street, Suite 1151
New York, NY 10014

4. This Notice shall be sent to Anthony J Caronia at his address of record.

5. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

Daniel W. Noel
District Director
New York District Office
Northeast Region
Enforcement Bureau

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*